

Attorney Docket No. 3827 P 009

PATENT

MAR 28 2002 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application Of: )  
James Andrew Breach and Robert Brian Turner )  
Application No. 10/025,006 ) Group Art Unit: 2811  
Confirmation No. 3634 )  
Filed: December 19, 2001 ) Examiner:  
For: Ion Mobility Spectrometer )

Box Missing Parts  
Commissioner For Patents  
Washington, D.C. 20231

### **RESPONSE TO NOTICE OF MISSING PARTS**

This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed January 25, 2002. A copy of the Notice to File Missing parts of Application--Filing Date Granted (Form PTO-1533) is enclosed. No Declaration or Oath was filed. Enclosed is the original Declaration or Oath for this Application.

Enclosed is Check No. 11698 in the amount of \$130 as payment of the surcharge for late filing of the Declaration and Power of Attorney. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time. The Commissioner is hereby authorized to charge payment of any deficit in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

Roger H. Stein, Reg. No. 31,882  
Wallenstein & Wagner, Ltd.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300

Dated: 18 MARCH 2002

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#### **CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with first class postage prepaid, in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, D.C. 20231 on

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*Kaelleen Rundquist*



UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 28 2002

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/025,006         | 12/19/2001          | James Andrew Breach   | 3827 P 009             |

U.S. PATENT & TRADEMARK OFFICE

Wallenstein & Wagner, Ltd.  
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CONFIRMATION NO. 3634  
FORMALITIES LETTER



\*OC00000007359848\*

Date Mailed: 01/25/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*Bur T B*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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